

REMARKS/ARGUMENTS

Claims 2 and 8 - 10 are cancelled above and replaced with corresponding new claims 24 - 27.

Claims 3, 6, 19, 21 are amended to require the plurality of stocking locations to be located within a two hour neighborhood of a primary location. Support is found in Applicants' specification page 9, lines 3 - 5, and page 8, lines 11 - 15. No new matter is entered.

Claims 2 and 8 - 10 were objected to become these did not depend on a preceding claim. This was corrected by canceling claims 2 and 8 - 10 and replacing these with corresponding new claims 24 - 27 all of which depend on preceding claims.

Claims 3 - 4 and 19 stand rejected under 35 U.S.C. 103(a) as unpatentable over Ettl. However, as amended above, independent claims 3 and 19 now require the plurality of stocking locations to be located within a two hour neighborhood of a primary location. Ettl does not describe or suggest such a neighborhood or a plurality of stocking locations located therewithin. As argued earlier, all of the parts in Ettl's description follow a fixed path as shown in his Figure 1 supply chain network. Ettl, therefore, does not describe or suggest the neighborhood fill method of Applicants' independent claims 3 and 19. Claims 3 and 19 are allowable over Ettl.

Claims 2, 6 - 10, and 21 - 22 stand rejected under 35 U.S.C.

103(a) as being unpatentable over Ettl in view of Kalyan. However, independent claims 6 and 21 are also amended above to now require the two hour neighborhood limitation. Claims 6 and 21 are allowable for the same reason as claims 1 and 19 because neither Ettl nor Kalyan nor any combination of the two describe or suggest this two hour neighborhood fill method.

All of the remaining claims depend directly or indirectly on these allowable claims and are therefore also allowable.

The Application is deemed in condition for allowance and such action by the Examiner is urged. Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707, 707.07(d) and 707.07(j) in order that allowable claims can be presented, thereby placing the application in condition for allowance without further proceedings being necessary.

Respectfully submitted,

Dated: 12/11/2006

By: /John Pivnichny/

John R. Pivnichny  
Reg. No. 43,001

Telephone: (607)429-4358  
Fax: (607)429-4119